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In re Application of :
TODA et al : DECISION ON
Application No.: 09/530,787 :
PCT No.: PCT/JP98/05002 : PETITION TO
Int. Filing Date: 6 Nov. 1998 :
Priority Date: 6 Nov. 1997 : CORRECT
Attorney's Docket No.: NIT- 195 :
For: DATA PROCESSOR AND DATA : FILING DATE
PROCESSING SYSTEM :

This decision is in response to applicants' "Petition to Correct Filing Date" filed 25 July 2003 requesting: 1) correction of the filing date of the present application to 19 July 2000, and 2) issuance of a corrected Office action identifying the filing date as 19 July 2000 instead of 19 June 2000. The petition is **GRANTED** as follows:

The actual filing date of the instant application is the international filing date of the international application. PCT Article 11(3) and 35 U.S.C. 363. The "filing date" to be indicated on the official filing receipt (PTO-103X), however, is the date on which the last of the requirements under 35 U.S.C. 371(c) have been received. See MPEP 1893.03(b). As correctly indicated in the Notification of Acceptance Under 35 U.S.C. 371 (Form PCT/DO/EO/903) mailed 27 July 2000, this latter "filing date" is 19 July 2000, i.e., the date applicants completed the requirements under 37 U.S.C. 371(c) by submitting an acceptable declaration. Thus, 19 July 2000 should be the date appearing as the "filing date" in the official filing receipt and in the Office's computerized database.

With regard to petitioners' request for issuance of a corrected Office action because of the incorrect identification of the filing date in the Office action, this is a matter to be decided by the Technology Center. MPEP 1002.02(c).

Accordingly, this application is being forwarded to the National Stage Processing Branch for issuance of a corrected filing receipt and correction of the Office's database to indicate a "filing date" of **19 July 2000**. Thereafter, the application will be returned to Technology Center 2100 to determine whether issuance of a corrected Office action is warranted.

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